#### **MINUTES**

#### OF THE

#### NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

DATE: March17, 2011

TIME: 9:00 a.m.

PLACE: Holiday Inn

Raleigh, North Carolina

SUBMITTED BY: Terry Wright

Director

MEMBERS PRESENT: MEMBERS ABSENT:

Johnny Phillips Courtney Brown Mack Donaldson Larry McClellan

June Ray Richard Lee James Taylor

STAFF PRESENT:

Director Terry Wright Board Secretary Nan Williams
Deputy Director Anthony Bonapart Attorney Charles McDarris

Training Officer Judy Pittman

VISITORS:

Dan ComfortJames RobinsonDaniel SimonChinn HwangKenneth E. SwarringerLuther E. EzzellBrad SmithJohn Calhoun

Melba Caple Cecil B. Honeycutt
Tracy Loftin Barney Ferguson
Nick Hatley Charlie Ferguson

Ronnie Williams Jason Lindquist
George Bish Jason White
Darren Taylor Steve Britt
Ken Henke Kim Flowers
Dale Sapp Lance Chavez
Michael Perdue Ben Powell

#### CALL TO ORDER

The March 17, 2011 meeting of the North Carolina Alarm Systems Licensing Board was called to order at 9:00 a.m.

In accordance with the State Ethics Law, Attorney Charles McDarris read the following information. "It is the duty of every Board member to avoid both conflicts of interest and appearances of conflict. If any member has any known conflict of interest or appearance of conflict with respect to any matters coming to this Board today, please identify the conflict or appearance of conflict and refrain from any deliberation and vote in that particular matter."

Mr. Phillips welcomed all guests.

MR. LEEMADE A MOTION TO APPROVE THE MINUTES FROM THE JANUARY 27, 2011 BOARD MEETING AND THE MINUTES FROM THE FEBRUARY 18, 2011 ELECTRICAL PERMIT REVIEW COMMITTEE MEETING. SECONDED BY MR. TAYLOR. MOTION CARRIED.

The Screening Committee met on March 16, 2011 and reconvened on March 17, 2011 at 8:10 a.m.

MR. LEE MADE A MOTION THAT THE SCREENING COMMITTEE RECESSED UNTIL 8:00 A.M. ON MARCH 17, 2011 TO HEAR THE BACKGROUND ON MR. RYAN NEWCOMER. SECONDED BY MS. RAY. MOTION CARRIED.

Mr. Taylor called the Screening Committee meeting to order to hear the background on Mr. Ryan Newcomer who is applying for a Burglar Alarm Business License. Investigator Cynthia Hepburn was present and gave the background.

MR. PHILLIPS MADE A MOTION TO APPROVE THE BURGLAR ALARM BUSINESS LICENSEFOR MR. RYAN NEWCOMER WITH THE CONDITION MR. NEWCOMER AND PLATINUM PROTECTION, LLC ENTER INTO AND PAY A CONSENT AGREEMENT IN THE AMOUNT OF \$183.60 FOR ONE REGISTRATION VIOLATION BEFORE ISSUANCE OF THE LICENSE. SECONDED BY MR. LEE. MOTION CARRIED.

MR. LEE MADE A MOTION TO ADJOURN THE SCREENING COMMITTEE MEETING. SECONDED BY MR. PHILLIPS. MOTION CARRIED.

MR. LEE MADE A MOTION TO APPROVE ONE THROUGH FIVE AND NUMBER TWELVE OF THE SCREENING COMMITTEE REPORT. SECONDED BY MS. RAY. MOTION CARRIED. MR. TAYLOR RECUSED HIMSELF FROM VOTING ON ITEMS ONE THROUGH FIVE.

MR. LEE MADE A MOTION TO APPROVE SIX THROUGH ELEVEN, THIRTEEN, FOURTEEN, AND FIFTEEN OF THE SCREENING COMMITTEE REPORT AND THE ADDENDUM. SECONDED BY MS. RAY. MOTION CARRIED.

Chairman Phillips reported that Mr. Larry McClellan and Mr. Courtney Brown had approved absences from the meeting today for medical reasons.

Mr. Wright gave the registration report. (No motion was given).

Mr. Donaldson reported that he and Mr. Taylor met as the Grievance Committee on March 16, 2011 from 1:00 pm to 7:00 pm. Mr. Donaldson apologized for the meeting of the Grievance Committee lasting so late.

## MR. LEE MADE A MOTION TO APPROVE THE GRIEVANCE COMMITTEE REPORT AS PRESENTED. SECONDED BY MS. RAY. MOTION CARRIED.

#### SPECIAL REPORTS AND PRESENTATIONS

Mr. Smith presented the Continuing Education Sub-committee report.

- 1. Napco GEM-C Commercial Control Panel The committee recommends approval of 6 CEU's for this course.
- 2. IP Video for Total Connect The committee recommends approval of 2 CEU's for this course.
- 3. Perimeter/Outdoor Protection The committee recommends approval of 2 CEU's for the renewal of this course.

## MS. RAYMADE A MOTION TO APPROVE THE COURSES AS PRESENTED. SECONDED BY MR. LEE. MOTION CARRIED.

UNFINISHED BUSINESS None

**OLD BUSINESS** 

#### None

BREAK: 9:30 a.m. RECONVENE: 9:45 a.m.

# MS. RAY MADE A MOTION TO GO INTO CLOSED SESSION TO CONSULT WITH LEGAL COUNSEL PURSUANT TO N.C.G.S 143-318.11. SECONDED BY MR. TAYLOR. MOTION CARRIED.

CLOSED SESSION: 9:45 a.m. RECONVENED: 10:10 a.m.

Mr. Phillips reported that no action was taken in the closed session in regard to an industry member inquiring on one of the licensing requirements. The Board wanted to discuss the history of this requirement with the attorney.

#### **NEW BUSINESS**

Mr. Brad Smith addressed the Board in regard to the electrical license requirement. Mr. Smith stated that the Electrical Board is now requiring that each branch office have an electrical licensee in each branch. The Alarm Board only requires one full time employee to hold the electrical license for the company. Mr. Smith stated you also have to take continuing education to renew the electrical license along with continuing education to renew the burglar alarm license. Electrical permits are now being imposed that shows all electrical drawings and what type of system is being installed. Mr. Smith is requesting that the electrical license rule be repealed.

Mr. Phillips stated that he would like the old tapes from meetings reviewed if the tapes are still available to research the history of how the requirement of the electrical license came about. Mr. Phillips would like to have a work session to discuss this along with the public. Mr. McDarris stated he could have the meeting at his office and would check on some dates and would let the Board know as soon as he could. The date will be published on the web page.

### DIRECTOR'S REPORT

Mr. Wright presented the written report and advised as of February 28, 2011, the combined budget balance was \$580,554.08. The Education Fund balance was \$43,731.08. As of March 11, 2011, the Board has 912 licensees and 5,167 registrants.

MR. LEE MADE A MOTION TO APPROVE THE DIRECTOR'S REPORT AS PRESENTED. SECONDED BY MS. RAY. MOTION CARRIED.

#### ATTORNEY'S REPORT

Mr. McDarris reported on the following consent agreements:

- 1. Tiffany H. Jones/American Burglar Alarms, Inc. Consent to be paid in 6 monthly equal payments. She is current on the installment payments.
- 2. George J. Bish/Securewatch Working on finalizing the agreement. Will report back at next meeting.
- 3. Richard Washington Consent Agreement in the amount of \$2,121.60 has been executed and paid.
- 4. Gregory Burns Consent Agreement in the amount of \$489.60 has been executed and paid.

The list of Administrative Hearings were given to the Board as an attachment to the Attorney's Report.

There are currently no rules being amended.

Mr. McDarris will hold the letter he drafted to the NC Insurance Commissioner and State Fire Marshal to a later date pending further direction by the Board after the Electrical Licensee Committee meets.

Mr. McDarris stated that the Police Alarm Ordinance would have regulations on the alarm companies and he would like to contact the North Carolina Association of Chiefs of Police to advise them of the Board's position.

MR. TAYLOR MADE A MOTION FOR THE ATTORNEY TO CONTACT THE NORTH CAROLINA ASSOCIATION OF CHIEFS OF POLICE TO ADVISE THEM OF THE BOARD'S POSITION ON THE PROPOSED ORDINANCE. SECONDED BY MS. RAY. MOTION CARRIED.

Mr. McDarris will report as the next meeting in regard to the Wilmington False Alarm Ordinance.

The Board asked Mr. McDarris to send a letter to all customers of Safe America Security to advise them that the company is unlicensed in North Carolina. This request was made because Safe America Security is currently unlicensed in North Carolina but is currently receiving payments from North Carolina residents for existing alarm contracts, a violation of G.S. 74D-2(a) and 74D-14.

MR. LEE MADE A MOTION FOR THE ATTORNEY TO SEND A LETTER TO ALL CUSTOMERS OF SAFE AMERICA SECURITY TO NOTIFY THEM THAT THE COMPANY IS UNLICENSED IN NORTH CAROLINA. SECONDED BY MS. RAY. MOTION CARRIED.

MR. DONALDSON MADE A MOTION TO APPROVE THE ATTORNEY'S REPORT AS PRESENTED. SECONDED BY MS. RAY. MOTION CARRIED.

## GOOD OF THE ORDER

# MR. LEE MADE A MOTION TO ADJOURN. SECONDED BY MR. TAYLOR. MOTION CARRIED.

| Meeting Adjourned: | 10:30 a.m. |                          |  |
|--------------------|------------|--------------------------|--|
|                    |            | Terry Wright Director    |  |
|                    |            | Nan Williams<br>Reporter |  |